

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

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SCIENTIFIC-ATLANTA, INC.  
LEGAL DEPARTMENT

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To: HUBERT J. BARNHART, III  
SCIENTIFIC-ATLANTA, INC.  
INTELLECTUAL PROPERTY DEPARTMENT  
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NORCROSS, GA 30092

## NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing  
(day/month/year)

**12 JAN 2000**

Applicant's or agent's file reference

F-3614-PC

### IMPORTANT NOTIFICATION

International application No.

PCT/US98/16040

International filing date (day/month/year)

31 JULY 1998

Priority Date (day/month/year)

31 JULY 1997

Applicant

SCIENTIFIC-ATLANTA, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301)

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA-US  
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Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized Officer  
  
PINCHUS M. LAUFER

Telephone No. (703) 306-4160

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INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

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## PCT

### NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

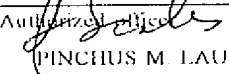
Date of Mailing (day/month/year) <b>12 JAN 2000</b>			
Applicant's or agent's file reference  F-3614-PC		<b>IMPORTANT NOTIFICATION</b>	
International application No.  PCT/US98/16040	International filing date (day/month/year)  31 JULY 1998	Priority Date (day/month/year)  31 JULY 1997	
Applicant  SCIENTIFIC-ATLANTA, INC.			

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Name and mailing address of the IPEA-US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized Officer  PINCHUS M. LAUFER
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# PATENT COOPERATION TREATY

## PCT

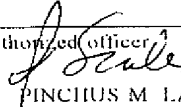
### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference F-3614-PC	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA-416)	
International application No. PCT/US98/16040	International filing date (day/month/year) 31 JULY 1998	Priority date (day/month/year) 31 JULY 1997
International Patent Classification (IPC) or national classification and IPC IPC(6): H04N 7/167; and US Cl.: 380/239, 241; 705/51; 713/172.		
Applicant SCIENTIFIC-ATLANTA, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets.  
☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
 These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:
  - ☒ Basis of the report
  - ☐ Priority
  - ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
  - ☐ Lack of unity of invention
  - ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement
  - ☒ Certain documents cited
  - ☐ Certain defects in the international application
  - ☐ Certain observations on the international application

Date of submission of the demand  26 FEBRUARY 1999	Date of completion of this report  08 NOVEMBER 1999
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  PINCHIUS M. LAUFER
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## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT-US98:16040

**I. Basis of the report**

1. This report has been drawn on the basis of *(Substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments):*

☒ the international application as originally filed.

☒ the description, pages 1-78, as originally filed.

pages NONE, filed with the demand.

pages NONE, filed with the letter of

pages, filed with the letter of

☒ the claims, Nos. 1-12, as originally filed.

Nos. NONE, as amended under Article 19.

Nos. NONE, filed with the demand.

Nos. NONE, filed with the letter of

Nos., filed with the letter of

☒ the drawings, sheets/fig 1-21, as originally filed.

sheets/fig NONE, filed with the demand.

sheets/fig NONE, filed with the letter of

sheets/fig, filed with the letter of

2. The amendments have resulted in the cancellation of:

☒ the description, pages NONE

☒ the claims, Nos. NONE

☒ the drawings, sheets/fig NONE

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box Additional observations below (Rule 70.2(c)).

4. Additional observations, if necessary:

NONE

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/16040

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)	Claims	<u>NONE</u>	YES
	Claims	<u>1-12</u>	NO
Inventive Step (IS)	Claims	<u>NONE</u>	YES
	Claims	<u>1-12</u>	NO
Industrial Applicability (IA)	Claims	<u>1-12</u>	YES
	Claims	<u>NONE</u>	NO

**2. CITATIONS AND EXPLANATIONS**

Claims 1-7 lack novelty under PCT Article 33(2) as being anticipated by Rohatgi (EP 0752 786). Rohatgi teaches sending a message, the digitally signed hash of the message and a certificate from the headend to the set top which then recreates the hash and compares to determine both source authenticity and data integrity.

Claims 8-12 lack an inventive step under PCT Article 33(3) as being obvious over Rohatgi ('786) in view of Coutrot et al. Rohatgi does not specifically teach the use of the control word. Coutrot teaches (p. 464, top of right column) the ubiquity of control words in conditional access satellite systems, that they should be transmitted in encrypted form (p. 464 bottom of right column) and their use as input to the Hash. In light of this teaching it would have been obvious to implement Rohatgi with the additional requirement of using the control word.

Claim 1-12 lack an inventive step under PCT Article 33(3) as being obvious over Moore ('527). Moore teaches (at the locations cited) an analogous system for a software reuse library. The only difference is that the context of Moore is not satellite or cable tv. It is well established that teachings regarding "software" encompass all forms of digital data. In this digital age, when television transmissions are digital, the application of Moore's scheme to a TV system using "headends" and "set-tops" is obvious.

----- NEW CITATIONS -----

US 5,343,527 A (MOORE) 30 AUGUST 1991, see figures 4-7, column 8 line 50 - column 9 line 21, and column 10 line 60 - column 13 line 35

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No

PCT/US98/16040

**VI. Certain documents cited****1. Certain published documents (Rule 70.10)**

<u>Application No. Patent No.</u>	<u>Publication Date (day/month/year)</u>	<u>Filing Date (day/month/year)</u>	<u>Priority date (valid claim) (day/month/year)</u>
US, 5,907,619 A	25 MAY 1999	20 DECEMBER 1996	
US, 5,870,475 A	09 FEBRUARY 1999	19 JANUARY 1996	
US, 5,870,474 A	09 FEBRUARY 1999	29 DECEMBER 1995	04 DECEMBER 1995

**2. Non-written disclosures (Rule 70.9)**

<u>Kind of non-written disclosure</u>	<u>Date of non-written disclosure (day/month/year)</u>	<u>Date of written disclosure referring to non-written disclosure (day/month/year)</u>
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